

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CLYDE A. SEVERSON and SUSAN C.
SEVERSON, husband and wife, and
SUSAN CAROL SEVERSON, TRUSTEE,
and CLYDE ALVIN SEVERSON TRUSTEE,
of THE SUSAN CAROL SEVERSON TRUST,

1:10-cv-3123-CL

ORDER

Plaintiffs,

v.

CHASE MANHATTAN MORTGAGE COMPANY,
et al.,

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation (#80), and the matter is now before me. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiffs filed objections to the report. Accordingly, I have reviewed the file of this case *de novo*. See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir.

1981).

I conclude the report is correct.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#80) is adopted. Defendants' motion for summary judgment on plaintiffs' wrongful initiation of civil proceedings claim is GRANTED.

Defendants' motion for summary judgment on plaintiffs' claim to punitive damages for intentional infliction of emotional distress and negligent injury to reputation and defamation is DENIED.

Defendants' motion for summary judgment on plaintiffs' claim to punitive damages for money had and received is GRANTED.

IT IS SO ORDERED.

DATED this 18th day of April, 2013.

A handwritten signature in black ink, appearing to read "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE